

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Patrick Yu	Team: Squad #16	CCRB Case #: 201608152	<input checked="" type="checkbox"/> Force	<input checked="" type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input checked="" type="checkbox"/> Injury
Incident Date(s) Tuesday, 09/13/2016 6:30 AM	Location of Incident: § 87(2)(b) 47th Precinct stationhouse	Precinct: 47	18 Mo. SOL 3/13/2018	EO SOL 3/13/2018	
Date/Time CV Reported Mon, 09/19/2016 5:30 AM	CV Reported At: IAB	How CV Reported: E-mail	Date/Time Received at CCRB Fri, 09/23/2016 11:06 AM		

Complainant/Victim	Type	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. POM Michael Gonzalez	24102	943312	047 PCT
2. Officers			
3. An officer			
4. SGT Eric Florio	00997	943245	INT CIS
5. DTS William Mcaloon	4236	922730	ESS 03
6. DTS Joseph Dolan	07637	934786	ESS 02
7. SGT William Meehan	02229	906808	E S U
8. DTS Michael Barbara	00248	921950	ESS 10
9. DTS Jeremiah Williams	5408	927673	047 PCT
10. POM Bjondin Skender	29051	951269	047 PCT

Witness Officer(s)	Shield No	Tax No	Cmd Name
1. POM Louis Gerlach	20608	941806	ESS 10
2. DT1 John McClure	01206	889031	ESS 04
3. DTS Thomas Miserandino	4246	933041	ESS 02
4. POM Robert Hoey	19196	947081	047 PCT
5. POM Matthew Escudero	26192	948333	047 PCT

Officer(s)	Allegation	Investigator Recommendation
A. Officers	Abuse: Officers entered and searched § 87(2)(b) in the Bronx.	
B. An officer	Force: At § 87(2)(b) in the Bronx, an officer pointed his gun at § 87(2)(b)	
C. An officer	Discourtesy: At § 87(2)(b) in the Bronx, an officer spoke discourteously to § 87(2)(b)	
D.DTS William Mcaloon	Force: At § 87(2)(b) in the Bronx, Detective William Mcaloon used physical force against § 87(2)(b)	

Officer(s)	Allegation	Investigator Recommendation
E.DTS Joseph Dolan	Force: At § 87(2)(b) in the Bronx, Detective Joseph Dolan used physical force against § 87(2)(b)	
F.DTS William Mcaloon	Force: At § 87(2)(b) in the Bronx, Detective William Mcaloon struck § 87(2)(b) with a police shield.	
G.SGT Eric Florio	Abuse: At § 87(2)(b) in the Bronx, Sergeant Eric Florio failed to show the search warrant to § 87(2)(b)	
H.POM Bjondin Skender	Force: At § 87(2)(b) in the Bronx, Police Officer Bjondin Skender used physical force against § 87(2)(b)	
I.SGT Eric Florio	Force: At § 87(2)(b) in the Bronx, Sergeant Eric Florio used physical force against § 87(2)(b)	
J.SGT Eric Florio	Discourtesy: At § 87(2)(b) in the Bronx, Sergeant Eric Florio acted discourteously toward § 87(2)(b)	
K.SGT Eric Florio	Discourtesy: At § 87(2)(b) in the Bronx, and at the 47th Precinct stationhouse, Sergeant Eric Florio spoke discourteously to § 87(2)(b)	
L.POM Bjondin Skender	Discourtesy: At § 87(2)(b) Police Officer Bjondin Skender spoke discourteously to § 87(2)(b)	
M.POM Michael Gonzalez	Discourtesy: At the 47th Precinct stationhouse, Police Officer Michael Gonzalez spoke discourteously to § 87(2)(b)	
N.DTS Jeremiah Williams	Discourtesy: At the 47th Precinct stationhouse, Police Officer Jeremiah Williams spoke discourteously to § 87(2)(b)	
O.DTS Jeremiah Williams	Discourtesy: At the 47th Precinct stationhouse, Police Officer Jeremiah Williams spoke discourteously to § 87(2)(b)	
P.SGT Eric Florio	Discourtesy: At the 47th Precinct stationhouse, Sergeant Eric Florio spoke discourteously to § 87(2)(b)	
Q.DTS Jeremiah Williams	Discourtesy: At the 47th Precinct stationhouse, Detective Jeremiah Williams spoke discourteously to § 87(2)(b)	
R. Officers	Abuse: At § 87(2)(b) in the Bronx, officers damaged § 87(2)(b)'s property.	
§ 87(2)(g), § 87(4-b)		

Case Summary

On September 19, 2016, § 87(2)(b) filed this complaint with IAB via email on behalf of his girlfriend, § 87(2)(b). § 87(2)(b) affirmed that he did not witness the incident. This case was received by the CCRB on September 23, 2016.

On September 13, 2016, at approximately 6:30 a.m., ESU officers entered and searched § 87(2)(b)'s residence at § 87(2)(b) in the Bronx (**Allegation A**). § 87(2)(b)'s daughter, § 87(2)(b) and the father of § 87(2)(b)'s father, § 87(2)(b) were in the residence at the time of incident. An officer allegedly pressed the muzzle of his gun against her head and told her to “shut the fuck up and stay down” (**Allegations B and C**). § 87(2)(b) was lying on the ground while Det. William McAloon and Det. Joseph Dolan had their feet pressed against the left side of her body, which caused her to sustain bruising and lacerations to her legs (**Allegations D and E**). § 87(2)(b) was handcuffed and lifted up to her knees. Once she was on her knees, Det. McAloon allegedly struck her in the left cheek with his ballistic shield (**Allegation F**). When officers entered the residence, § 87(2)(b) asked Sgt. Eric Florio to see the search warrant (**Allegation G**).

§ 87(2)(b) stated that she and § 87(2)(b) were inside of her room when they were placed in handcuffs by officers from the 47th Precinct. § 87(2)(b) alleged that after § 87(2)(b) was handcuffed while lying on a bed, PO Bjondin Skender and Sgt. Florio pulled § 87(2)(b) off of the bed by his legs (**Allegations H and I**). § 87(2)(b) was escorted out of the room after § 87(2)(b). As § 87(2)(b) was being escorted out of her room, Sgt. Florio allegedly removed her phone and purse from her. Sgt. Florio subsequently threw her phone against a wall and threw her purse on the floor (**Allegation J**). At some point, Sgt. Florio allegedly referred to § 87(2)(b) as a “piece of shit” while speaking with § 87(2)(b) (**Allegation K**).

§ 87(2)(b) and § 87(2)(b) were both transported directly to the 47th Precinct stationhouse. § 87(2)(b) was transported to § 87(2)(b) via ambulance after she complained of abdominal pains. § 87(2)(b) alleged that while at the hospital, PO Skender stated, “Your baby’s father is a real piece of shit” (**Allegation L**).

From § 87(2)(b) § 87(2)(b) was transported to the 47th Precinct stationhouse. § 87(2)(b) alleged that Sgt. Florio referred to § 87(2)(b) as an “asshole” and “piece of shit” several times during the incident at the 47th Precinct stationhouse (**subsumed within Allegation K**). § 87(2)(b) also alleged that while in the holding cell, PO Michael Gonzalez stated, “Your baby’s father is a real piece of shit” (**Allegation M**). Also at the stationhouse, Det. Jeremiah Williams allegedly stated, “Yeah you know me, they call me ass man” (**Allegation N**). § 87(2)(b) also alleged that Det. Williams stated that § 87(2)(b) was a “fucking scumbag,” a “piece of shit,” a “fucking loser,” and a “motherfucker” (**Allegation O**). § 87(2)(b) also alleged that Sgt. Florio called Det. Williams “Ass-man” and Det. Williams also introduced himself as “Ass-man” during the incident (**Allegations P and Q**). § 87(2)(b) and § 87(2)(b) were released from the stationhouse and their arrest was sealed.

§ 87(2)(b) stated that when she returned home from the stationhouse, she saw that some of her property inside her residence had been damaged (**Allegation R**).

§ 87(2)(g), § 87(4-b)

§ 87(2)(g)

Mediation, Civil and Criminal Histories

- This case was unsuitable for mediation due to § 87(2)(b) arrest.
- On January 18, 2017, the NY Comptroller's office indicated that § 87(2)(b) and § 87(2)(b) had separately filed a Notice of Claim in regards to this incident (Board Review 39 and 40).
- [§ 87(2)(b)] [§§ 86(1)(3)&(4)] [§ 87(2)(c)]
[redacted]
[redacted]

Civilian and Officer CCRB Histories

- This is the first CCRB complaint § 87(2)(b) and § 87(2)(b) have been involved in (Board Review 24, 25, and 27).
- § 87(2)(b) has been involved in one prior CCRB case with no substantiated allegations (Board Review 26).
- PO Gonzalez has been a member of the NYPD for 10 years and has had 42 CCRB allegations pleaded against him in 17 cases; none of the allegations have been substantiated. § 87(2)(g)
- Sgt. Florio has been a member of the NYPD for 10 years and has had 28 CCRB allegations pleaded against him in 11 cases; none of the allegations have been substantiated.
- Det. McAloon has been a member of the NYPD for 18 years and has had 13 CCRB allegations pleaded against him in four cases; three allegations were substantiated § 87(2)(g), § 87(4-b)
- In case #20084491, the Board recommended that a stop, force, and frisk allegation be substantiated with charges. The NYPD imposed instructions for all three allegations.

- Det. Dolan has been a member of the NYPD for 12 years and has had one prior CCRB allegation which was not substantiated. § 87(2)(g)
- Sgt. Meehan has been a member of the NYPD for 22 years and has had one prior CCRB allegation which was not substantiated. § 87(2)(g)
- Det. Williams has been a member of the NYPD for 16 years and has had 36 CCRB allegations pleaded against him in 14 cases; none of the allegations have been substantiated. § 87(2)(g)
- PO Skender has been a member of the NYPD for five years and has had no prior CCRB complaints.
- Det. Barbara has been a member of the NYPD for 18 years and has had six CCRB allegations pleaded against him in three cases; none of the allegations have been substantiated. § 87(2)(g)

Potential Issues

- On October 31, 2016, § 87(2)(b) attorney, § 87(2)(b) called the undersigned and stated that she would not allow § 87(2)(b) to provide a statement in regards to this incident due to his pending criminal case.

Findings and Recommendations

Explanation of Subject Officer Identification

- § 87(2)(b) could not provide descriptions of the officers who initially entered her home because they were wearing tactical headgear which covered their faces (Board Review 01). § 87(2)(b) alleged that one of the officers wearing the gear pressed the muzzle of their gun against her head and told her to “shut the fuck up and stay down.” All of the ESU officers interviewed did not admit pressing the muzzle of their gun against § 87(2)(b)s head or telling § 87(2)(b) to “shut the fuck up and stay down” (Board Review 04-07, 09, 10, and 12). § 87(2)(g)
- During § 87(2)(b)s CCRB interview, she could not tell which officers were stepping on her back and leg while she lying on the ground (Board Review 01). § 87(2)(b) was not in the room at the time and thus she did not provide any further information in regards to these allegations. § 87(2)(b) did not provide a statement, § 87(2)(g)
- During a follow-up phone statement, § 87(2)(b) testified that there were two officers carrying shields that stepped on her back (Board Review 22). According to the ESU Supplemental Report, Det. McAloon and Det. Dolan were the only officers equipped with a ballistic shield during the incident (Board Review 20). § 87(2)(g)

- As noted above, § 87(2)(b) was unable to identify any of the initial officers. § 87(2)(b) stated that one of the officers struck her in the face with a ballistic shield. (Board Review 01). Det. McAloon and Det. Dolan were equipped with a ballistic shield during the incident. Both officers were interviewed and only Det. McAloon acknowledged interacting with § 87(2)(b) and also admitted that his shield made physical contact with § 87(2)(b). § 87(2)(g).
- § 87(2)(b) described the officer who refused to show her the warrant as a Hispanic/Italian (slightly lighter complexion than § 87(2)(b) male, in plainclothes, with dark slicked back hair, 5'11" – 6'1" tall, and in his 30s (Board Review 01). She also noted that this officer wore glasses and possibly had a 5 o'clock shadow. § 87(2)(b) also alleged that this officer used various profanities towards her, pulled § 87(2)(b) off the bed, and threw her phone against the wall (Board Review 02). § 87(2)(b)'s description of this officer was similar to § 87(2)(b)'s description; she described the officer as having black slicked back hair, wearing glasses, and appeared to be in his 30s. § 87(2)(b) further described the officer as approximately 6'3" – 6'4" tall and heard officers referring to him as "Floyd." According to the 47th Precinct Roll Call, PO Gonzalez, PO Skender, Det. Williams, and PO Hoey were assigned to the Field Intelligence Team (FIO) on the date of incident (Board Review 21). During his CCRB testimony, PO Gonzalez added that Sgt. Florio and PO Escudero were also part of his team during this incident (Board Review 03). § 87(2)(g).
- § 87(2)(b) stated that two officers were at the hospital with her, but only one officer was inside the room and interacted with her (Board Review 02). Moreover, she also stated that this officer was inside the room with her at the residence. She described the officer who she interacted with as a white male, in plainclothes, 5'8" tall, chubby, spikey blonde hair, light eyes, with a rugged beard, and was in his 30s. She also stated that this officer was initially in black gear, but had changed into plainclothes during the incident. PO Skender is a white male who is 5'9" tall, weighs 220 pounds, with black hair and brown eyes, and was 26 years old at the time of incident. PO Skender was the only officer who admitted to escorting § 87(2)(b) to the hospital and his physical attributes generally matched § 87(2)(b)'s description of the subject officer (Board Review 11). § 87(2)(g).
- § 87(2)(b) and § 87(2)(b) both recalled an officer named "Gonzalez" during the incident (Board Review 01 and 02). § 87(2)(b) described this officer as a male, 5'10" tall, stocky build, with red hair, red beard, and had tattoos on one or both arms. § 87(2)(b) stated that this officer was a Hispanic male, 5'7" tall, husky build, "reddish" hair, "reddish" beard, light eyes, possibly 35 years old, and possibly had a tattoo of a "tiki" on his arm. § 87(2)(b) stated this used profanities towards her while in the holding cell area. PO Gonzalez closely matched the descriptions the civilians provided and was the only officer named "Gonzalez" present during the incident. PO Gonzalez is a Hispanic male, who is 5'9" tall, weighs 225 pounds, with brown hair and green eyes, and was 31 years old at the time of incident. Moreover, PO Gonzalez affirmed that he had a "tribal" tattoo on his left forearm and also displayed the tattoo during the interview

(Board Review 03). § 87(2)(g)

- § 87(2)(b) alleged that an officer called himself “Ass-man” during the incident (Board Review 02). § 87(2)(b) described this officer as a black/Hispanic male, in plainclothes, 6’ – 6’1” tall, average build, close shaven hair, and in his 40s. § 87(2)(b) also stated an officer referred to himself as “Ass-man” during the incident, but also heard an officer refer to him as “J” (Board Review 01). She described this officer as a dark-skinned male, 5’10” tall, with low-cut black hair, thick body build, and in his 40s. § 87(2)(b) also noted that this officer had “craters” on his face. Det. Williams is the only black officer that was on the FIO team during the incident. He is 5’9” tall, weighs 225 pounds, bald, and was 39 years old during the incident. During his CCRB testimony, Det. Williams stated that he was aware the he was called “Ass-man” (Board Review 32). Moreover, PO Gonzalez stated that officers called Det. Williams, “J” during the incident as his first name was Jeremiah (Board Review 03). § 87(2)(g)
- § 87(2)(b) stated she noticed that her property had been damaged during the incident after she returned home (Board Review 01). § 87(2)(b) noticed a broken TV and a big hole in her bathroom wall. § 87(2)(b) provided photos of the damages, but she did not indicate when the pictures were taken (Board Review 15-17). § 87(2)(b) did not know which officer damaged her property since she was not present to witness the occurrence. None of the ESU officers or 47th Precinct officers interviewed acknowledged damaging any of her property or seeing the damages during the incident. The officers were also shown photos of the damages, but none of the officers acknowledged seeing such damages during the incident. § 87(2)(g)

Allegations not pleaded

Abuse of Authority- Guns pointed:

§ 87(2)(b) and § 87(2)(b) both the officers pointed their guns at them during the incident (Board Review 01 and 02). § 87(2)(g)

§ 87(2)(b) :

§ 87(2)(b) alleged that the handles of her purse were scratched as a result of this incident (Board Review 02). § 87(2)(b) stated that she had not seen the damage prior to this incident and that when she returned home, she noticed the damage. § 87(2)(g)

Allegation A –Abuse of Authority: Officers entered and searched § 87(2)(b) in the Bronx.

It is undisputed that officers entered and searched § 87(2)(b)'s residence upon obtaining a valid search warrant. Search warrant number § 87(2)(b) was requested by Sgt. Florio and executed on September 13, 2016 for the location of § 87(2)(b) in the Bronx (Board Review 19). As per the NYS Criminal Procedure Law (CPL) 690.50 §1, “In executing a search warrant directing a search of premise or a vehicle, a police officer need not give notice to anyone

of his authority and purpose” (Board Review 34). § 87(2)(g)

Allegation B –Force: At § 87(2)(b) in the Bronx, an officer pointed his gun at § 87(2)(b)

Allegation C –Discourtesy: At § 87(2)(b) in the Bronx, an officer spoke discourteously to § 87(2)(b)

§ 87(2)(g)

As discussed above, § 87(2)(b) could not properly identify any of the initial officers who entered her home due to the gear they were wearing at the time. Furthermore, she was unable to specifically provide any description of the officer who allegedly pressed the muzzle of a gun against her face and told her to “shut the fuck up and stay down.”

None of the officers interviewed affirmed that they pressed the muzzle of their gun against § 87(2)(b) s face or made the aforementioned statement. § 87(2)(g)

Allegation D –Force: At § 87(2)(b) in the Bronx, Det. William McAloon used physical force against § 87(2)(b)

Allegation E –Force: At § 87(2)(b) in the Bronx, Det. Joseph Dolan used physical force against § 87(2)(b)

§ 87(2)(g)

In her CCRB statement, § 87(2)(b) stated that she felt the cleats from the officers’ boots against her back and ankle (Board Review 01). § 87(2)(b) stated that the officers continued to tell her to get on the ground, but § 87(2)(b) explained that she already on the ground and could not go down any further. During § 87(2)(b) s phone statement, § 87(2)(b) alleged that two officers carrying shields, identified via the investigation as Det. McAloon and Det. Dolan, were the officers who pressed their feet against her left side of her body while she was on the ground (Board Review 22)

§ 87(2)(b) went to § 87(2)(b) on § 87(2)(b) complaining of facial pain and bleeding/bruising. The documented diagnosis was assault by bodily force and the medical documents noted that she sustained multiple bruises (Privileged). § 87(2)(b) reported to the medical personnel that she as beaten up by the police three days prior to the hospital visit.

§ 87(2)(b) provided several photos to the CCRB via text message depicting a bruise to the back of her calf and an abrasion to her knee. She did not provide the dates of when the photos were taken (Board Review 14 and 18).

§ 87(2)(b) stated that as she was being escorted out of her room, she saw blood on the midsection of § 87(2)(b)'s leg (Board Review 02). § 87(2)(b) did not see how § 87(2)(b) sustained the injuries and did not see the source of the blood. Moreover, she did not say that she saw any officers stepping on § 87(2)(b) during the incident.

As explained above, § 87(2)(b) did not provide a statement to the CCRB due to his pending criminal case.

Det. McAloon stated that he initially saw § 87(2)(b) running out of a room and into the hallway (Board Review 10). Det. McAloon stated that he pushed § 87(2)(b) away and asked for assistance. However, Det. McAloon denied seeing § 87(2)(b) on the ground and denied placing his foot on § 87(2)(b)'s leg or back area and did not see any officers doing so at any point during the incident. Det. McAloon subsequently went into a room to conduct a secondary search and when he exited the room, § 87(2)(b) was standing.

Det. Dolan stated that he only went immediately went into a room upon entering the residence (Board Review 09). Det. Dolan denied seeing § 87(2)(b) during the incident. Moreover, he denied handcuffing § 87(2)(b) or assisting any officers in doing so. Det. Dolan denied stepping on a female's back or leg during the incident.

None of the officers interviewed acknowledged seeing officers stepping on § 87(2)(b)'s back or leg area (Board Review 03-12 and 32). Photos depicting the injuries to § 87(2)(b)'s leg were shown to all of the officers interviewed, but none of the officers indicated that they saw the injuries or knew how she sustained the injuries.

§ 87(2)(g)
§ 87(2)(g)
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§ 87(2)(g)
§ 87(2)(g)
§ 87(2)(g)

Allegation F –Force: At § 87(2)(b) in the Bronx, Detective William McAloon struck § 87(2)(b) with a police shield.

It is undisputed that Det. McAloon's shield made physical contact with § 87(2)(b) § 87(2)(g).

§ 87(2)(b) stated that after she was placed in handcuffs, while on the ground, the officers lifted her up and rested her on her knees (Board Review 01). § 87(2)(b) told the officers to not kill her dogs, informed them that her daughter was pregnant, and told them to not touch her daughter. In response, Det. McAloon told her to be quiet and intentionally struck her left cheek with his ballistic shield. § 87(2)(b) stated to the officers that it hurt and the officers

subsequently shoved her back on the ground with her face facing the wall again. § 87(2)(b) stated that there were no plainclothes officers present at this time and that neither § 87(2)(b) nor § 87(2)(b) were in her sight. § 87(2)(b) acknowledged that her dogs were barking during the incident, but she as later given the opportunity to secure her dogs. § 87(2)(b) stated that as she was being escorted out of her room, she saw a bruise on § 87(2)(b)'s face, but she did not see how § 87(2)(b) sustained the injury (Board Review 02).

§ 87(2)(b) went to § 87(2)(b) on § 87(2)(b) complaining of facial pain and bleeding/bruising (Privileged). § 87(2)(b) reported to the medical personnel that police officers assaulted her three days prior to the hospital visit. The documented diagnosis was assault by bodily force and noted that she sustained multiple bruises. The physical exam also showed that the area around § 87(2)(b)'s left eye was bruised. On § 87(2)(b) it was verified by the eye doctor that § 87(2)(b) did not have a fracture or change in vision. On § 87(2)(b) § 87(2)(b) visited § 87(2)(b) and complained of left jaw pain from the injury she sustained a month ago where an officer allegedly hit her with a shield.

In his CCRB testimony, Det. McAloon stated that as he proceeded inside the residence, he saw § 87(2)(b) running out of a room screaming, "Don't shoot my dog" (Board Review 10). Det. McAloon saw a dog following behind § 87(2)(b) into the hallway. Det. McAloon stated that the hallway was too narrow to fit both him and § 87(2)(b) at the same time. As § 87(2)(b) was in the hallway, she stumbled on her own. Det. McAloon denied making any physical contact with § 87(2)(b) at this point. Det. McAloon stated that his main concern was to get in between § 87(2)(b) and the dog because the dog appeared to be vicious since it was barking and "chomping" its jaws. The dog was approximately two feet away from § 87(2)(b). In an attempt to get in between § 87(2)(b) and the dog, Det. McAloon used his shield to push § 87(2)(b) to the left side. Det. McAloon described this action as swinging his shield from the front of his body outwards to the left in a semi-circular motion. Det. McAloon stated that his shield made contact with § 87(2)(b)'s left shoulder and back area. Det. McAloon did not see § 87(2)(b) hitting the wall when he pushed her. Det. McAloon was able to walk past § 87(2)(b) after pushing her aside. At this point, Det. McAloon was focused on what was in front of him and did not know what occurred behind him. Det. McAloon used his shield to block the dog since it was lunging towards him and bounced off of his shield approximately two or three times. After successfully getting in between the dog and § 87(2)(b) Det. McAloon called for assistance to secure § 87(2)(b). Det. McAloon denied using his shield to strike § 87(2)(b) in the face. Furthermore, Det. McAloon affirmed that his shield never made physical contact with § 87(2)(b)'s face. Det. McAloon denied using any additional force other than what was described.

None of the officers interviewed saw any officers striking § 87(2)(b) in the face with a ballistic shield (Board Review 03-12 and 32). Aside from Sgt. Meehan, all of the other officers interviewed did not indicate that they saw § 87(2)(b) ever on the ground during the incident. Sgt. Meehan stated that he recalled seeing § 87(2)(b) on the floor initially, but did not recall how she was positioned while she was on the ground (Board Review 28). Furthermore, Sgt. Meehan acknowledged that he handcuffed § 87(2)(b) and sat her down by the kitchen after she was given an opportunity to put her dogs away. All of the officers were shown a photo

depicting a bruise to § 87(2)(b)'s face. Only Sgt. Florio acknowledged seeing this injury during the incident (Board Review 08). However, neither Sgt. Florio nor any of the officers interviewed knew how § 87(2)(b) sustained this injury.

§ 87(2)(g)

§ 87(2)(g)

§ 87(2)(g)

§ 87(2)(g)

Allegation G –Abuse of Authority: At § 87(2)(b) in the Bronx, Sergeant Eric Florio failed to show the search warrant to § 87(2)(b)

§ 87(2)(g)

In her CCRB testimony, after the ESU officers left her residence, § 87(2)(b) stated that she asked Sgt. Florio to see the search warrant (Board Review 01). In response, Sgt. Florio waved a piece of paper and began reading from it. § 87(2)(b) requested that Sgt. Florio show the warrant, but Sgt. Florio turned away with his back facing § 87(2)(b). § 87(2)(b) stated that she was able to catch a glimpse of the piece of paper and saw that an address had been crossed out and replaced with her house number. § 87(2)(b) asked to see the warrant again and Sgt. Florio stated “no.” § 87(2)(b) stated that she was never shown a copy of the warrant.

§ 87(2)(b) did not say that she heard § 87(2)(b) asking to see the search warrant or hearing any officers refuse to show § 87(2)(b) a copy of the search warrant (Board Review 02). As discussed above, § 87(2)(b) did not provide a statement to the CCRB due to his pending criminal case.

§ 87(2)(g)

§ 87(2)(b) did not provide a statement given that his lawyer refused to allow him to do so.

In her CCRB testimony, § 87(2)(b) stated that after § 87(2)(b) was handcuffed with his hands behind his back on the bed while lying faced down, PO Skender and Sgt. Florio both pulled § 87(2)(b) by the legs down to the floor (Board Review 02). § 87(2)(b) did not indicate whether or not the PO Skender or Sgt. Florio made any statements prior to this action. § 87(2)(b) was positioned with his chest against the floor. § 87(2)(b) stated that § 87(2)(b) was not doing anything or moving prior to being pulled down to the floor. From the floor, § 87(2)(b) was lifted up and walked out of the room.

In her CCRB testimony, § 87(2)(b) did not see § 87(2)(b) until she was already taken out of her room and thus she could not see any of the occurrences prior (**Board Review 01**).

PO Skender stated that he did not see any occupants inside the residence aside from § 87(2)(b) (Board Review 11). Moreover, he denied dragging or pulling § 87(2)(b) and denied interacting with any male occupants inside the residence. PO Skender denied using any physical force during the incident and did not see any officers doing so.

Sgt. Florio acknowledged that he interacted with a male inside the location, identified via the investigation as § 87(2)(b) but he stated that he did not recall where the interaction occurred (Board Review 08). Sgt. Florio stated that he told § 87(2)(b) that the officers had a search warrant. He denied dragging § 87(2)(b) off of a bed and did not see any officers doing so.

None of the officers interviewed saw any officers pulling § 87(2)(b) off of the bed or see any officers using any physical force against § 87(2)(b) (Board Review 03-12 and 32).

§ 87(2)(g)

Allegation J –Force: At § 87(2)(b) in the Bronx, Sergeant Eric Florio acted discourteously toward § 87(2)(b)

§ 87(2)(g)

§ 87(2)(b) alleged that as she was being escorted out of her room, Sgt. Florio removed her phone from her pocket and threw it against a wall (Board Review 02). She also stated that Sgt. Florio took her purse and stated, “No, she is not supposed to have that,” and threw it away from her reach. § 87(2)(g)

§ 87(2)(b) stated that the strap of her purse was damaged when she returned home, § 87(2)(g)

§ 87(2)(g)

§ 87(2)(b) did not provide a statement due to his pending criminal case.

Sgt. Florio stated that he recalled an officer frisking and searching § 87(2)(b) but nothing was removed from § 87(2)(b) (Board Review 08). Sgt. Florio denied removing a phone and throwing it against a wall or seeing any officers doing so. He also denied looking inside her purse or throwing her purse.

PO Skender denied frisking § 87(2)(b) or seeing any officers do so (Board Review 11). He denied seeing any officers remove a phone from § 87(2)(b) and throw it against a wall. He also denied seeing any officers throw her purse. None of the officers interviewed, including all of the officers the investigation determined as being present in the room, acknowledged seeing this occurrence (Board Review 03-12 and 35).

§ 87(2)(g)

Allegation K –Discourtesy: At § 87(2)(b) in the Bronx, and at the 47th Precinct stationhouse, Sergeant Eric Florio spoke discourteously to § 87(2)(b)

§ 87(2)(g)

§ 87(2)(b) alleged that Sgt. Florio referred to § 87(2)(b) as an “asshole” and a “piece of shit” while at the residence (Board Review 02). She also alleged that while at the 47th Precinct stationhouse, Sgt. Florio stated, “Make sure you put all the details because that piece of shit doesn’t know how to do the right thing.”

Sgt. Florio denied referring to § 87(2)(b) as an “asshole” or a “piece of shit” and denied saying, “Make sure you put all the details because that piece of shit doesn’t know how to do the right thing” (Board Review 08). Sgt. Florio denied using any profanities during the incident.

None of the officers interviewed acknowledged hearing any officers using any profanities during the entire incident (Board Review 03-12 and 32).

§ 87(2)(g)

Allegation L –Discourtesy: At § 87(2)(b) Police Officer Bjondin Skender spoke discourteously to § 87(2)(b)

Allegation M –Discourtesy: At the 47th Precinct stationhouse, Police Officer Michael Gonzalez spoke discourteously to § 87(2)(b)

Allegation O –Discourtesy: At the 47th Precinct stationhouse, Detective Jeremiah Williams spoke discourteously to § 87(2)(b)

§ 87(2)(g)

In her CCRB statement, § 87(2)(b) stated that while she was lying on the bed in the hospital, PO Skender told her, “Your baby’s father is a real piece of shit” (Board Review 02). Moreover, while she was in the stationhouse, PO Gonzalez referred to § 87(2)(b) as a “piece of shit” whenever he talked about him. She also stated that PO Gonzalez told her, “Your baby father is a real piece of shit,” and asked, “What are you doing with this scumbag?” Also at the stationhouse, while speaking with Det. Williams, Det. Williams allegedly stated to § 87(2)(b) that § 87(2)(b) was a “fucking scumbag,” a “piece of shit,” a “fucking loser,” and a “motherfucker.”

During her CCRB interview, § 87(2)(b) did not state that she heard any officers using any of the profanities as alleged by § 87(2)(b) (Board Review 01). As discussed above, § 87(2)(b) did not provide a statement to the CCRB due to his pending criminal case.

None of the officers interviewed acknowledged using any profanities or heard any officers using any profanities during this incident (Board Review 03-12 and 32). PO Skender denied speaking with § 87(2)(b) while at the hospital (Board Review 11). PO Gonzalez admitted to speaking with § 87(2)(b) in the holding cells, but stated that he was informing her of her charges and explained that she will be given an opportunity to provide a statement. PO Gonzalez denied referring to § 87(2)(b) as a “piece of shit” when speaking with § 87(2)(b) (Board Review 03). Det. Williams stated that he did not recall entering the holding cell area when he returned to the 47th Precinct stationhouse and denied using any profanities while he was at the stationhouse (Board Review 32).

§ 87(2)(g)

Allegation N–Discourtesy: At the 47th Precinct stationhouse, Detective Jeremiah Williams spoke discourteously to § 87(2)(b)

Allegation P –Discourtesy: At the 47th Precinct stationhouse, Sergeant Eric Florio spoke discourteously to § 87(2)(b)

Allegation Q –Discourtesy: At the 47th Precinct stationhouse, Detective Jeremiah Williams spoke discourteously to § 87(2)(b)

It is undisputed that Det. Williams’ nickname is “Ass-man.” § 87(2)(g)

In her CCRB testimony, § 87(2)(b) stated that at some point while she was in the cell, Det. Williams told her, “Yeah you know me, they call me ass man,” and “Everyone knows me” (Board Review 02).

During her CCRB testimony, § 87(2)(b) stated that Det. Williams' "street-name" was "Ass-man." During a follow-up phone statement, § 87(2)(b) alleged that at some point, Sgt. Florio called Det. Williams "Ass-man" and Det. Williams also stated, "I'm pretty sure you heard of me, they call me Ass-man" (Board Review 22). However, § 87(2)(b) did not specifically say when she heard this.

In his CCRB testimony, Det. Williams stated that § 87(2)(b) called him "Ass-man" during the incident (Board Review 32). Det. Williams stated that § 87(2)(b) was known to the 47th Precinct and he has had prior interactions with § 87(2)(b). During this incident, when Det. Williams initially saw him at in § 87(2)(b)'s residence, § 87(2)(b) stated, "Oh Ass-man is here." During Det. Williams' CCRB interview, when he was asked why § 87(2)(b) called him "Ass-Man," Det. Williams replied, "That's just what he calls me." Det. Williams denied speaking with § 87(2)(b) during the incident. Det. Williams stated that his coworkers heard of that name before, but none refer to him as such. Det. Williams further stated that his coworkers call him "J." Det. Williams denied referring to himself as "Ass-man" during the incident.

PO Gonzalez also affirmed that "perps" also called Det. Williams "Ass-man" (Board Review 03). PO Gonzalez did not know if anyone called Det. Williams "Ass-man" while at the residence.

None of the other officers interviewed, including Sgt. Florio, stated that they knew of any officers named "Ass-man" and did not hear any officers referring to themselves as such (Board Review 03-12 and 32). Moreover, Sgt. Florio denied calling another officer "Ass-man." None of the officers interviewed acknowledged using any profanities or heard any officers using any profanities during this incident.

§ 87(2)(g)
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED].

Allegation R –Abuse of Authority: At § 87(2)(b) in the Bronx, officers damaged § 87(2)(b)'s property.

As discussed in the officer explanation section, § 87(2)(b) did not know which officers damaged her property. § 87(2)(b) provided photos of the damages, but the dates of when the photos were taken are unknown. Moreover, none of the officers interviewed acknowledged damaging any of the property or seeing such damages during the incident. § 87(2)(g)

§ 87(2)(g), § 87(4-b)
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

§ 87(4-b) § 87(2)(g) [Redacted]
[Redacted]
[Redacted]

[Redacted]
[Redacted]
[Redacted]
[Redacted]

[Redacted]
[Redacted]
[Redacted]

§ 87(4-b) § 87(2)(g) [Redacted]
[Redacted]
[Redacted]
[Redacted]
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Squad:

Investigator: _____
Signature Print Date

Squad Leader: _____
Title/Signature Print Date

Reviewer: _____

Title/Signature

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Date